

To: Chief Administrative Officer **Date:** April 6, 2021
From: Barclay Pitkethly, Deputy Chief Administrative Officer
Subject: **City of Reconciliation Principles**

Recommendation(s)

That Council endorse and adopt the 9 Principles of Reconciliation as the District moves toward becoming a City of Reconciliation.

Purpose

The purpose of this report is to introduce nine Principles of Reconciliation for Council consideration to move toward becoming a “City of Reconciliation”.

Background

Since 2016, when Canada officially endorsed the United Nations Declaration of Indigenous Peoples (UNDRIP), the federal government has continually attempted to improve relations with first nations peoples. Subsequently, in 2019, the province of British Columbia officially adopted legislation affirming the commitment to incorporation UNDRIP into legislation; the Declaration on the Rights of Indigenous Peoples Act (DRIPA) Bill 41, was passed.

Discussion and Analysis

While legislatively, there is no requirement to endorse, adopt, recognize UNDRIP or DRIPA by local governments, there is however, an important relationship between local governments and neighbouring first nations communities. And while local government is a child of the Province and intuitively, may be bound by the same rules and regulations, local governments are also crucial to the implementation of UNDRIP. Many local governments have recognized this and are moving toward becoming reconciliation bodies. This affirmation of UNDRIP and adoption of the ‘Principles of Reconciliation’ is a commitment by local government to treat first nation communities as neighbours, peers, and partners within a shared or overlapping ‘territory’.

In order to gain a better understanding on how to engage and build relationships with local first nation communities, the District retained Ms. Gwen Bridge, a first nations consultant with over 19 years’ experience. Ms. Bridge is experienced in working with Tribes, First Nations and First Nations organizations and a background (M.Sc.) and experience in natural resources: forest hydrology, water quality standards and monitoring, habitat restoration, land use planning, environmental impact assessment, cultural research, organization development, policy analysis and writing, strategic planning, negotiations, title and rights protection, and project management. Her heritage is of the Saddle Lake Creek Nation.

In collaboration with Ms. Bridge, the District is bringing forward 9 Principles of Reconciliation for Council to consider for the District to move toward reconciliation. These DRAFT Principles are listed below:

#1 Reconciliation occurs through the development of government to government relationships based on the recognition of indigenous rights.

#2 Local governments are crucial to the implementation of UNDRIP and the TRC calls to action. Advancement of this work can occur while recognizing the sovereign to sovereign (or Crown to Nation) relationships that occur between Federal, Provincial and First Nations governments.

#3 Plans and strategies for the implementation of UNDRIP and the TRC Calls to Action will be 'co-created' with First Nations communities, namely Matsqui, Sema:th, Kwantlen, Katzie, Sq'ewlets, and Leq'a:mel through engagement and collaboration, including 'Reconciliation Dialogues' and 'Community to Community Forums'.

#4 Reconciliation promotes a mutually supportive climate for economic partnerships with regional First Nations communities.

#5 Collaboration with First Nation communities will define how best to communicate and engage on economic and land development policy.

#6 Continuous learning about indigenous peoples, cultural, traditions and laws is a requirement of reconciliation.

#7 Cooperation and collaboration will guide the District's approach to issues that impact First Nations.

#8 Relationships take time, as does exploring what mutual commitment to reconciliation means; we will endeavour to engage our neighbouring First Nation communities to build those relationships around shared interests and common concerns.

#9 Systemic racism exists and that there are many ways of understanding the world and ways in which societies create and implement laws and that valid laws existed here before Canada. The District will question assumptions and remain open when faced with different legal traditions and ways of knowing.

Council Goals/Objectives

The District of Mission Vision Statement:

The District of Mission is a bold, progressive, forward looking, transparent, and professional leader serving the citizens and businesses of Mission.

Moving toward a 'City of Reconciliation' is a bold, progressive, and forward-thinking strategy showing leadership and commitment to true reconciliatory practices with our local first nations communities.

Objective:

The nine Principles of Reconciliation will form the basis for developing a communications strategy and ultimately some sort of agreement on how, when, what, and where information will be shared and consultation will occur. Additionally, and together, the District and neighbouring first nation communities may identify common goals and objectives, develop economic opportunities for indigenous communities, and collaborate on initiatives.

The District has already been involved in collaborating successfully with our indigenous neighbours, namely initiatives such as Stave West and Heritage Park, and will continue to engage and collaborate in future initiatives under the nine principles contained here/

Financial Implications

There are no financial implications associated with this report.

Communication

Communicating the Principles will occur via a multitude of avenues:

1. A targeted communication strategy via email, mail, and follow-up phone calls will be sent to the District of Mission's neighbouring first nation communities, namely Matsqui, Sema:th, Kwantlen, Katzie, Sq'ewlets, and Leq'a:mel, as well as the Sto:Lo Nation Service Agency. From this initial communication, the District will develop a communication strategy with each nation to meet their needs and expectations.
2. A press release outlining the adoption of the Principles will be generated for any press wishing to publish.
3. The District will release the Principles via our social media outlets as well as having a prominent location on the District's website.

In addition to the Communications strategy, a few quick wins will be implemented by the District. This may include:

1. An acknowledgement will be placed on the backs of business cards that:

The District of Mission acknowledges that it is situated within the unceded, ancestral and shared territory of the Sto:Lo people.

Mission is situated on Matsqui, Sema:th, Kwantlen, Katzie, Sq'ewlets, and Leq'a:mel traditional territories.

Summary and Conclusion

As Canada and the Province of British Columbia adopt, embrace, and implement the United Nations Declaration of Indigenous Peoples (UNDRIP), it is increasingly incumbent for local government to do the same. Part of this process is to look at what 'principles will guide the organization in future relations with neighbouring first nation communities.

This recognition and adoption of principles is only the first step towards becoming a 'city of reconciliation'. Much work will need to be accomplished to set up regular communications to build trust, share information, and develop meaningful dialogue where ideas and questions are met with respect and in a policy is developed collaboratively.

Report Prepared by: Barclay Pitkethly, Deputy Chief Administrative officer

Reviewed by: Jennifer Russell, Corporate Officer

Approved for Inclusion: Mike Younie, Chief Administrative Officer

Attachment(s)

Attachment A: "City of Reconciliation" Principles Discussion Document

Prepared by Gwen Bridge: Gwen Bridge Consulting Ltd.

District of Mission: Adoption of “City of Reconciliation” Principles Discussion Document

Introduction

The District of Mission is a vibrant proactive place to live, recreate and work. The District recognizes that the natural beauty and bounty that all our residents and visitors enjoy occurs on shared land of the Matsqui, Sumas, Kwantlen, Katzie, Sq’ewlets, and Leq’a:mel First Nations.

These First Nations, having been here since time immemorial, have not shared in the economic benefits derived from the land and resources because of repressive policies of the Government of Canada. These policies created a negative legacy that we all share, and the District of Mission wishes to do its part to ensure that we collectively work to improve the impacts from the historic and ongoing policies which discriminate against indigenous peoples. Historic policies include imposition of residential schools on indigenous populations, the creation of the reserve system in areas where there were no Treaties negotiated, the disparity in health and education funding, the restriction of indigenous peoples from free movement throughout their traditional territories, the Indian Act, denial of the right to vote (until 1960) and the outlawing of indigenous religious, political and ceremonial practices (the potlatch ban 1885 to 1951), and the restriction of fishing to food fishing only, sometimes requiring a license, from 1888 to 1990.

The District of Mission is committed to reconciliation and will work to ensure that its activities, initiatives, and partnerships reflect the intent of United Nations Declaration on the Rights of Indigenous People (UNDRIP), and the Truth and Reconciliation Commission’s (TRC) Calls to Action. The District of Mission will start with the adoption of a set of principles which will guide its relationships with indigenous peoples and commits to the revision and creation of policies to be consistent with UNDRIP and the TRC Calls to Action.

This discussion document provides a brief background to UNDRIP and TRC government commitments and drafts principles and recommendations for consideration

CANADA'S 10 PRINCIPLES

Background

UNDRIP

Since 2010, Canada has been in a process of continually improving its recognition of UNDRIP. In 2010, Canada endorsed UNDRIP as an aspirational document but remained a permanent objector to it at the United Nations. In 2016 Canada finally endorsed UNDRIP without reservations and removed its objector status at the United Nations. In 2017 Canada released its 10 Principles respecting the Government of Canada's relationship with Indigenous peoples

These principles, which not legally binding, are intended to guide the work of the Government of Canada in its relationship with Indigenous peoples.

Canada has committed to enshrining UNDRIP in legislation but has not done so yet.

DRIPA

British Columbia took to heart Canada's commitment to UNDRIP and became the first province to adopt legislation affirming its commitment to incorporating UNDRIP into any new legislation. In 2019, the Declaration on the Rights of Indigenous Peoples Act (DRIPA) Bill 41, was passed.

Since then BC has been working to understand the implications of DRIPA

The Government of Canada recognizes that:

1. All relations with Indigenous peoples need to be based on the recognition and implementation of their right to self-determination, including the inherent right of self-government.
2. Reconciliation is a fundamental purpose of section 35 of the Constitution Act, 1982.
3. The honour of the Crown guides the conduct of the Crown in all of its dealings with Indigenous peoples.
4. Indigenous self-government is part of Canada's evolving system of cooperative federalism and distinct orders of government.
5. Treaties, agreements, and other constructive arrangements between Indigenous peoples and the Crown have been and are intended to be acts of reconciliation based on mutual recognition and respect.
6. Meaningful engagement with Indigenous peoples aims to secure their free, prior, and informed consent when Canada proposes to take actions which impact them and their rights on their lands, territories, and resources.
7. Respecting and implementing rights is essential and that any infringement of section 35 rights must by law meet a high threshold of justification which includes Indigenous perspectives and satisfies the Crown's fiduciary obligations.
8. Reconciliation and self-government require a renewed fiscal relationship, developed in collaboration with Indigenous nations, that promotes a mutually supportive climate for economic partnership and resource development.
9. Reconciliation is an ongoing process that occurs in the context of evolving Indigenous-Crown relationships.
10. A distinctions-based approach is needed to ensure that the unique rights, interests and circumstances of the First Nations, the Métis Nation and Inuit are acknowledged, affirmed, and implemented.

DRIPA

Purposes of Act

2 The purposes of this Act are as follows:

- (a) to affirm the application of the Declaration to the laws of British Columbia;
- (b) to contribute to the implementation of the Declaration;
- (c) to support the affirmation of, and develop relationships with, Indigenous governing bodies.

Municipalities

In BC, the Union of BC Municipalities (UBCM) has been advancing UNDRIP and the membership has supported UNDRIP through resolution 2015-B106 calling on the Province and Federal Government to respond to the Truth and Reconciliation recommendations, and through resolutions referencing and supporting work towards specific elements of UNDRIP (2018-B149, 2018-B150). The UBCM also highlights a set of TRC calls which may be relevant to municipal jurisdiction. TRC #92 pertains to policy and land considerations and development projects.

In 2019, the UBCM Indigenous Relations Committee approved its priorities for 2019/20 that include:

across its various ministerial activities and policy and legislative initiatives. The details of the implementation strategies and steps are in ongoing development in various Ministries, with the Ministry of Indigenous Relations and Reconciliation tasked with coordinating efforts across Ministries.

It is well recognized by BC, that reconciliation with indigenous peoples is a required component of a healthy society. The commitment to reconciliation pervades BC's documents and plans for economic recovery (see Emerging Economies sidebar).

EMERGING ECONOMY TASK FORCE | FINAL REPORT MARCH 2020

"We recognize that reconciliation means supporting the levers of Indigenous economic growth. It means working with Indigenous peoples, communities, organizations and governments to improve Indigenous peoples' quality of life, including through new economic partnerships, natural resource benefits sharing, and closing gaps in health, education, skills training and employment outcomes. The recommendations in this report incorporate considerations that are in line with reconciliation goals and recognize the importance of B.C.'s Indigenous peoples to the province's emerging economy." Economically, the immediate challenge is to get people back to work as quickly and safely as possible, starting with those who have been hurt the most by the pandemic. These people include: j Indigenous peoples and new Canadians;"

TRC #92

Business & Reconciliation

Adopt and apply UNDRIP to policy and land considerations; commit to relationship-building and consultation, and informed consent on development projects; ensure equitable access to jobs, training, and professional development.

- Continuing to engage with the Province on the implementation of UNDRIP
- Conducting reconciliation and relationship-building activities
- Continuing to seek opportunities to engage on urban Indigenous issues
- Investigating Indigenous cultural safety & sensitivity training opportunities for local governments

These are all activities that the District of Mission can support in its day to day work.

Other municipalities have moved towards reconciliation in various ways including:

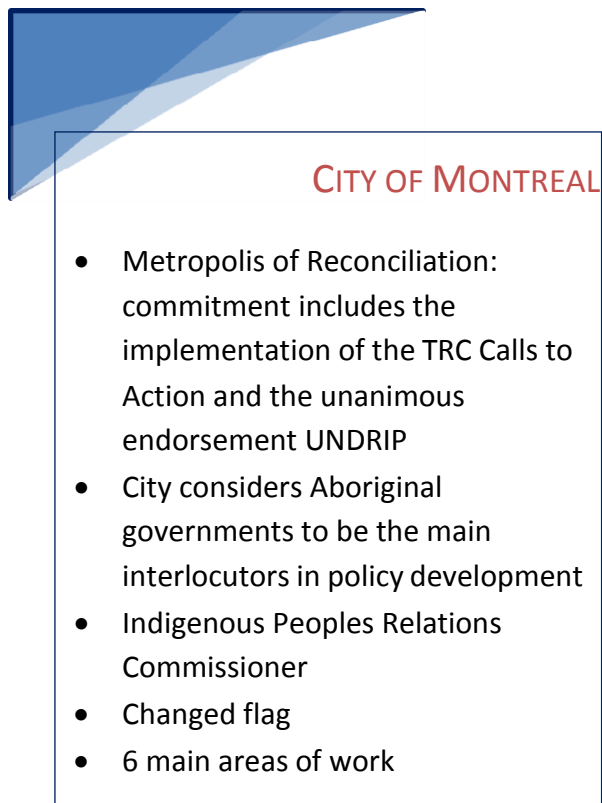
- Declaring a 'Year of Reconciliation'
- Establishing Indigenous Relations Officers/Offices
- Adopting UNDRIP and the TRC Calls to Action
- Conferences, training, workshops etc.
- Commitments to indigenous peoples
- Formal recognition of indigenous territories

CITY OF VANCOUVER

- Adopted UNDRP
- City of Reconciliation framework
- formally acknowledged that it sits on the unceded traditional territory of the Musqueam, Squamish and Tsleil-Waututh First Nations

CITY OF TORONTO

- 7 commitments to Aboriginal people
- Indigenous affairs office
- Identified 8 of the TRC Calls to Actions as priorities
- Adopted UNDRIP
- Aboriginal Advisory Committee



Reconciliation

There is no one clear definition of Reconciliation. Reconciliation is essentially when groups formerly in conflict resolve that conflict. Reconciling relations with indigenous peoples in Canada requires the discussion of land. The TRC states that in order to reconcile, the first relationship that must heal is the relationship of indigenous people to their land. Therefore, supporting this relationship must be part of all other work towards reconciliation. For the relationship between indigenous people and their land to heal, traditional land management laws, protocols and management techniques, often communicated as story, must be reinvigorated. To be a City of Reconciliation, the District of Mission must respect these different laws and, through dialogue,

understand them, and only then if parties agree, could they be modified to suit circumstances.

Reconciliation means different things to different people. For some, the focus may be on access to social services; for others, rectifying the economic disparity through economic development becomes a priority. Reconciliation means allowing for a fulsome understanding of cultural character by the other party and then a discussion and resolution regarding any decisions that need to be made.

Reconciliation will necessitate setting aside assumptions about societal preferences, constraints, and mores. It's possible to reconcile on topics without a deep understanding of the societal structure, and some indigenous groups may prefer this approach, after all, self-determination means deciding how one wants to approach decision making. Others though, will need to mine these fundamental societal differences in order to achieve reconciliation. No one reconciliation example, best practices or solution can be replicable in all circumstances.

Principles

1. Reconciliation occurs through the development of government to government relationships based on the recognition of indigenous rights.
2. Local governments are crucial to the implementation of UNDRIP and the TRC calls to action. Advancement of this work can occur while recognizing the sovereign to

sovereign (or Crown to Nation) relationships that occur between Federal, Provincial and First Nations governments.

3. Plans and strategies for the implementation of UNDRIP and the TRC Calls to Action will be 'co-created' with First Nations communities, namely Matsqui, Sumas, Kwantlen, Katzie, Sq'ewlets, and Leq'a:mel through engagement and collaboration, including 'Reconciliation Dialogues' and 'Community to Community Forums'.
4. Reconciliation promotes a mutually supportive climate for economic partnerships with regional First Nations communities.
5. Collaboration with First Nation communities will define how best to communicate and engage on economic and land development policy.
6. Continuous learning about indigenous peoples, cultural, traditions and laws is a requirement of reconciliation
7. Cooperation and collaboration with guide the District's approach to issues that impact First Nations.
8. Relationships take time, as does exploring what mutual commitment to reconciliation means; we will endeavour to engage our neighbouring First Nation communities to build those relationships around shared interests and common concerns.
9. Systemic racism exists and that there are many ways of understanding the world and ways in which societies create and implement laws and that valid laws existed here before Canada. The District will question assumptions and remain open when faced with different legal traditions and ways of knowing.

Recommendations

It Is recommended that the District of Mission:

1. Endorse UNDRIP with a commitment to defining strategies for the implementation of specific articles relevant to the District of Mission jurisdiction
2. Affirm its commitment to the TRC Calls to Action, particularly those identified by UBCM as applicable to municipal jurisdictions
3. Adopt the above principles as the starting point of Reconciliation
4. Commit to develop and implement a strategy for reviewing existing policies that need to reflect reconciliation.
5. Develop an indigenous knowledge and cultural awareness schedule of training for Council and staff that builds on training already received. Suggested potential topics
 - a. Ethical Space and Reconciliation
 - b. Indigenous law of the local First Nations
 - c. How indigenous law is codified
 - d. Indigenous dispute resolution methods